

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. CR06-220-JLR
)	
v.)	
)	DETENTION ORDER
DARIO VILLARREAL,)	
)	
Defendant.)	
_____)	

Offenses charged:

Count 1: Conspiracy to Distribute Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846.

Count 3: Conspiracy to Import Methamphetamine in violation of 21 U.S.C. §§ 952(a), 960(b)(1)(H), and 963.

Date of Detention Hearing: November 2, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that

01 defendant is a flight risk and a danger to the community based on the nature of the pending
02 charges and his criminal background history. It is appropriate to apply the presumption in
03 this case.

04 (2) Defendant's instant charges are serious offenses, and he faces a mandatory
05 minimum sentence of ten years to possible life imprisonment.

06 (3) Defendant has multiple failures of compliance with the terms and conditions
07 of his supervised probation, and shows an inability or unwillingness to comply with those
08 terms and conditions.

09 (4) Defendant has on-going issues with substance abuse as evidenced by his
10 failure to pass five prior testings.

11 (5) Defendant is considered a danger to the community and a risk of flight.

12 (6) There appear to be no conditions or combination of conditions other than
13 detention that will reasonably address the risk of flight and danger to other persons or the
14 community.

15 IT IS THEREFORE ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the
18 extent practicable, from persons awaiting or serving sentences or being held in
19 custody pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation
21 with counsel;

22 (3) On order of a court of the United States or on request of an attorney for the
23 government, the person in charge of the corrections facility in which
24 defendant is confined shall deliver the defendant to a United States Marshal
25 for the purpose of an appearance in connection with a court proceeding; and

26 (4) The Clerk shall direct copies of this Order to counsel for the United States, to

counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 3rd day of November, 2006.

A handwritten signature in black ink, reading "James P. Donohue", written over a horizontal line.

JAMES P. DONOHUE
United States Magistrate Judge